

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SUSAN WOERTH MILLER, FAURUM
SANKARI, ANGELA HEIMGARTNER,
MICHAEL WACHALA, MARY BETH
PREUSS, ERIC TERHAERDT, PATRICIA
WALSH, AND SHEILA EARLY, individually
and as representatives of classes of participants
and beneficiaries on behalf of the Astellas US
Retirement and Savings Plan,

Plaintiffs,

v.

ASTELLAS US LLC, THE BOARD OF
DIRECTORS OF ASTELLAS US LLC, THE
ASTELLAS RETIREMENT PLAN
ADMINISTRATIVE COMMITTEE, AON
HEWITT INVESTMENT CONSULTING,
INC. (NKA AON INVESTMENTS USA,
INC.), AND JOHN DOES 1–14,

Defendants.

Case No. 1:20-cv-03882

Hon. Ronald A. Guzman

Hon. Heather K. McShain

**DECLARATION OF WILLIAM D. POLLAK IN SUPPORT OF AON HEWITT
INVESTMENT CONSULTING, INC.’S MOTION TO STRIKE PLAINTIFFS’ NEWLY
REQUESTED RELIEF AND FOR LEAVE TO FILE A SUR-REPLY IN OPPOSITION
TO PLAINTIFFS’ MOTION TO COMPEL**

I, William D. Pollak, Esq. declare and state as follows:

1. I am an attorney with O’Melveny & Myers LLP, counsel for Defendant Aon
Hewitt Investment Consulting Inc. (NKA Aon Investments USA, Inc.) (“AHIC”).

2. I submit this declaration in support of AHIC’s Motion to Strike Plaintiffs’ Newly
Requested Relief and For Leave to File a Sur-Reply in Opposition to Plaintiffs’ Motion to

Compel. I have personal knowledge of the following facts and, if called and sworn as a witness, could and would testify competently thereto.

3. Attached hereto as Exhibit 9 is a true and correct copy of an email and attachment produced by AHIC and bates stamped AON-AST-00053613. As noted in the accompanying, Motion to Seal, this document has been marked as Confidential under the Protective Order and is being provisionally filed under seal.

4. Attached hereto as Exhibit 10 is a true and correct copy of an email AHIC's counsel sent to plaintiffs' counsel, dated March 19, 2021.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of April, 2021 in Montclair, New Jersey.

/s/ William Pollak
William Pollak

*Attorney for Aon Hewitt Investment Consulting Inc.
(NKA Aon Investments USA, Inc.)*

CERTIFICATE OF SERVICE

I, William D. Pollak, hereby certify that on April 1, 2021, I electronically filed the foregoing *Declaration of William D. Pollak in Support of AHIC's Opposition to Plaintiffs' Motion to Compel*, using the CM/ECF system, which will send notification of such filing to all registered participants. Exhibit 9 was provisionally filed under seal.

/s/ William D. Pollak
William D. Pollak